## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

HELEN SWARTZ, Individually,

Plaintiff,

vs. : Case No.: 1:20-cv-00499-RA

BLUE 36TH STREET NYC LLC, a Delaware Limited Liability Company,

Defendant.

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## **MOTION TO REOPEN THE ACTION**

COMES NOW Plaintiff, Helen Swartz, by and through undersigned counsel, and herein moves to restore the instant action, and as grounds therefore would state as follows:

- 1. The Parties have a settlement in principle, but have still not reached agreement on the timing of installment payments of the settlement funds.
- 2. The Defendant has inserted in the draft settlement agreement installment payment dates of July 1 and August 1, 2020. Absent immediate payment, the Plaintiff would like the payments to be made by June 1 and July 1, 2020.

Accordingly, it is respectfully requested that the Court reopen the instant case and retain jurisdiction until the Parties have executed the Settlement Agreement and the settlement funds have cleared.

Dated: May 15, 2020 Respectfully submitted,

/s/ Lawrence A. Fuller

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## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 15th day of May, 2020, the foregoing was filed via the

Clerk's CM/ECF system, which will automatically notice to counsel for Defendant:

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SO ORDERED:		
HON. RONNIE ABRAMS		
United States District Judge	Dated:	, 2020